

PROB 12C
(6/16)

Report Date: May 12, 2021

United States District Court
for the
Eastern District of Washington

FILED IN THE
 U.S. DISTRICT COURT
 EASTERN DISTRICT OF WASHINGTON

May 13, 2021

SEAN F. McAVOY, CLERK

Petition for Warrant or Summons for Offender Under Supervision

Name of Offender: Hector Diaz

Case Number: 0980 2:16CR00036-TOR-1

Address of Offender:

Kennewick, Washington 99336

Name of Sentencing Judicial Officer: The Honorable Thomas O. Rice, U.S. District Judge

Date of Original Sentence: March 29, 2018

Original Offense: Conspiracy to Distribute 500 Grams or More of a Mixture or Substance Containing Methamphetamine, 21 U.S.C. § 841(a)(1), (b)(1)(A)(viii) and 846

Original Sentence:	Prison - 30 months TSR - 60 months	Type of Supervision: Supervised Release
--------------------	---------------------------------------	---

Asst. U.S. Attorney:	Caitlin A. Baunsgard	Date Supervision Commenced: October 18, 2019
----------------------	----------------------	--

Defense Attorney:	Molly Winston	Date Supervision Expires: October 17, 2024
-------------------	---------------	--

PETITIONING THE COURT

To incorporate the violation(s) contained in this petition in future proceedings with the violation(s) previously reported to the Court on 05/19/2020 and 11/20/2020.

The probation officer believes that the offender has violated the following condition(s) of supervision:

Violation Number Nature of Noncompliance

5 **Mandatory Condition #1:** You must not commit another federal, state or local crime.

Supporting Evidence: Mr. Diaz is considered to be in violation of his conditions of supervised release by being charged with driving under the influence of alcohol on or about May 9, 2021.

On October 23, 2019, Mr. Diaz's conditions of supervision were reviewed with him. He signed a copy of his conditions, and a copy of the conditions form was provided to him. By signing this form, Mr. Diaz acknowledged an understanding of his conditions of supervised release, to include mandatory condition number 1, as noted above.

On May 9, 2021, the Pasco Police Department was dispatched to a collision at 316 N. Wehe Avenue, Pasco, Washington. Upon arrival, Pasco police contacted a male individual who stated he had been driving a truck involved in the collision. The male identified himself as Alex Diaz, but could not provide his exact date of birth and did not know his address. Through investigation, the male's identity was discovered to be Mr. Diaz.

Prob12C

Re: Diaz, Hector
May 12, 2021
Page 2

While speaking to Mr. Diaz, the officer could smell a strong odor of alcoholic beverages, noting Mr. Diaz's speech was slightly slurred and the statements Mr. Diaz was making did not make sense. Mr. Diaz agreed to voluntary field sobriety tests, which the officer noted Mr. Diaz failed. He was transported to the Franklin County Jail.

At the Franklin County Jail, Mr. Diaz provided his true name and date of birth. He admitted to having warrants for his arrest and did not have a driver's license. Mr. Diaz admitted to using his brother's name and information so he would not get arrested on his warrants.

A record's check was completed and Mr. Diaz returned with his driver's license suspended in the third degree, an ignition interlock required and a probationary license.

Mr. Diaz was cited for driving under the influence of alcohol, driving with a suspended license in the third degree, operating a motor vehicle without ignition interlock, and providing false information to an officer, Pasco Municipal Court case number 1A0449358. He was also given infractions for operating a motor vehicle without insurance, failure to renew expired registration, and no driver's license on person. These charges are still pending before the Pasco Municipal Court and future court dates have yet to be scheduled.

The U.S. Probation Office respectfully recommends the Court to incorporate the violation(s) contained in this petition in future proceedings with the violation(s) previously reported to the Court, and that the Court issue a warrant.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: 05/12/2021

s/Dan M. Manning

Daniel M. Manning
U.S. Probation Officer

Prob12C

Re: Diaz, Hector

May 12, 2021

Page 3

THE COURT ORDERS

- No Action
- The Issuance of a Warrant
- The Issuance of a Summons
- The incorporation of the violation(s) contained in this petition with the other violations pending before the Court.
- Defendant to appear before the Judge assigned to the case.
- Defendant to appear before the Magistrate Judge.
- Other



Thomas O. Rice

United States District Judge

May 13, 2021

Date